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www.merchant-gould.com**Fax Transmission** | September 28, 2005

To:	Commissioner for Patents	From:	Eric E. DeMaster
Company:	USPTO	Our Ref.:	11669.0264USC2
Your Ref:	09/632,149 - Cuthbertson	Fax No.:	612.332.9081
Fax No.:	571.273.8300	Phone No.:	612.336.4621
Phone No.:	703.872.9305	Total Pages:	3
State/Country:	D.C./U.S.A.	E-Mail:	edemaster@merchant-gould.com
Confirmation Via Mail:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Return Fax To:	Lynnda Kraft 31.W12

Title of Documents Transmitted:

Fax Transmission (in duplicate), and Refund
Request Under 37 C.F.R. § 1.26Applicant: Cuthbertson
Serial No.: 09/632,149
Filed: August 3, 2005
Group Art Unit: 1636
Our Ref. No.: 11669.0264USC2

Please send a refund or credit Deposit Account No. 13-2725 in the amount of \$1,520.00.
Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please
consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to
enter these papers, if appropriate.

23552

PATENT TRADEMARK OFFICE

By: Name: Eric E. DeMasterReg. No.: 55,107**RECEIVED
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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and
Trademark Office on the date shown below.

Lynnda Kraft
Signature
Date

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2 of 6

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T-573 P.003/003 F-011

SEP 28 2005

S/N 09/632,149

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Cuthbertson	Examiner:	NGUYEN, QUANG
Serial No.:	09/632,149	Group Art Unit:	1636
Filed:	August 3, 2000	Docket No.:	11669.0264USC2
Conf. No.:	1941	Customer No.:	23552
Title:	OCULAR GENE THERAPY		

CERTIFICATE UNDER 37 C.F.R. 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 28, 2005.

By: 
Name: Lynda KraftREFUND REQUEST UNDER 37 C.F.R. § 1.26Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**23552**

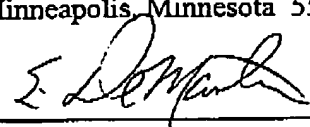
PATENT TRADEMARK OFFICE

Dear Sir:

Applicant respectfully requests a refund pursuant to 37 C.F.R. § 1.26. Applicant submitted a fee of \$1520.00 on July 13, 2005 for a Notice of Appeal Fee (\$500.00) and an Extension for Response within Third Month (\$1020.00). Our deposit account (No. 13-2725) was charged twice for each fee. Pursuant to 37 C.F.R. § 41.20(b)(1), a fee of only \$500.00 for the Notice of Appeal Fee, and pursuant to 37 C.F.R. § 1.17(a)(3) a fee of only \$1020.00 for Extension for Response within Third Month was owed. Therefore, Applicant is entitled to a refund of \$1520.00.

Applicant respectfully requests that the amount of \$1520.00 be refunded to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903Date: September 28, 2005
Eric E. DeMaster
Reg. No. 55,107
EED:lek